

### REMARKS

In response to the Office Action dated August 3, 2004, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

Claims 13-18 were rejected under the second paragraph of 35 U.S.C. §112. The Examiner is thanked for pointing out the typographical error in claim 13. In response thereto, claim 13 has been amended to remove the basis for the rejection.

Claims 1-4, 8, 10-13, 15 and 16 were rejected under 35 U.S.C. §102, on the grounds that they were considered to be anticipated by the Bjornberg et al patent (U.S. 6,389,126). Claims 6, 7, 9, 14, 17 and 18 were rejected under 35 U.S.C. §103 as being unpatentable over the Bjornberg et al patent in view of secondary references. It is noted that the Office Action does not contain a rejection of claim 5, but also does not include an indication whether claim 5 is considered to be allowable. The Examiner is requested to clarify the status of claim 5 in the next Office communication.

It is respectfully submitted that the Bjornberg et al patent is directed to a provisioning system that is different from the present invention, and consequently does not anticipate, nor otherwise suggest, the claimed subject matter. The present invention is directed to the automated provisioning of network devices, e.g., servers, that are respectively associated with different customer accounts. For example, the present invention is well suited to be implemented in a managed service provider hosting environment. In this type of environment, each of the different customers has different requirements for the servers that are managed by the service provider. As a result, the network of servers presents a heterogeneous environment, in which the needs of each customer must be separately addressed.

In contrast, the Bjornberg et al patent is directed to the provisioning of a homogeneous, centrally administered telecommunications network. The patent does not disclose an arrangement in which "customer accounts relate to specific customer hardware devices contained on the network," as recited in claim 1. Rather, the patent teaches precisely the opposite. For example, at column 2, lines 4-7, the patent states that the next generation of service nodes "will be designed to provide customized services for many different customers, all on a common platform." In other words, the patent teaches that the different customers share common devices.

The first step recited in claim 1 is that of "receiving at least one command to be executed on a network device *related to a specific customer account*." The rejection of claim 1 refers to the Bjornberg et al patent at column 6, line 59 through column 9, line 21. However, this portion of the patent does not identify any association between devices and specific customer accounts. Rather, the patent suggests that all of the servers are provisioned in the same manner, irrespective of individual customer needs. See, for example, column 3, lines 53-55.

Therefore, it is respectfully submitted that the claims are not anticipated by the Bjornberg et al patent. Claim 1 has been amended to further clarify the features of the invention. It is respectfully submitted that these amendments are not necessary to distinguish the claims from the Bjornberg patent. For at least the reasons presented above, the claims were patentably distinct from the Bjornberg patent in their original form.

In accordance with one embodiment of the invention, each customer is assigned to an individual virtual local area network within the provisioning system. By means of this arrangement, the ability to determine which devices are associated

with which customer is simplified. This, in turn, facilitates the determination of which software should be provisioned on which machines. This aspect of the invention is set forth in claims 17 and 18.

The Office Action acknowledges that this claimed feature is not suggested by the Bjornberg et al patent, and therefore relies upon the Gonda patent, which relates to the management of virtual private networks. It is respectfully submitted that it would not be obvious to apply the teachings of the Gonda patent to the telecommunications network provisioning system of the Bjornberg et al patent, absent knowledge of the present invention. The Gonda patent pertains to the management of virtual private networks, but the Bjornberg et al patent has nothing to do with virtual private networks. Furthermore, there is no apparent reason why a person of ordinary skill in the art would be motivated to employ virtual private networks in the system of the Bjornberg et al patent. As discussed previously, that system is designed so that a variety of different customers can obtain interactive voice response services from a common, shared platform. The Gonda patent does not disclose how virtual private networks could be employed to achieve such a purpose. It is respectfully submitted that the two references have nothing to do with one another, and therefore it would not be obvious to combine their teachings.


Another distinguishing aspect of the invention lies in the fact that it is a model-based system for provisioning and access control. The model stored in the database constitutes a representation of the network device, e.g., server, which can be interrogated to determine whether and which provisioning commands need to be executed. A different model is stored for each customer's devices, which further facilitates the ability to handle the respective needs of the individual customers. This

aspect of the invention is brought out in new claims 19-25. It is respectfully submitted that the claimed subject matter is neither disclosed, nor otherwise suggested, by the references of record.

For the foregoing reasons, it is respectfully submitted that all pending claims are allowable over the prior art of record. Reconsideration and withdrawal of the rejections are respectfully requested.

Respectfully submitted,  
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